

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

UL LLC,

Plaintiff,

-v-

JOSHUA CALLINGTON,

Defendant.

Case No. 1:24-cv-05631
Hon. Andrea R. Wood

DECLARATION OF CONFIDENTIAL WITNESS NO. 1

[REDACTED] declare pursuant to 28 U.S.C § 1746, as follows:

1. I am located within the United States and over the age of 18 years. I am fully familiar with the facts set forth herein, which are based on my direct knowledge, or information and belief.

2. I am Certified Social Compliance Auditor (“CSCA”) [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

3. I am familiar with the representations made by Mr. Callington and others regarding the integrity of audits performed by UL and the resulting New York Times article published in or around late December 2023.

4. I voluntarily spoke with Mr. Callington's attorney about this and other related topics on or about September 10, 2024, and June 5, 2025.

5. The main topic discussed during my first conversation with Mr. Callington's attorney was the inherent tension between audit integrity (*i.e.*, factual accuracy) and UL management's emphasis on "customer satisfaction," (*i.e.*, retention).

6. As relayed in that interview, there were definitely situations where changes were made to my audit reports, too. I would find out months later and they would walk me through reasons. Sometimes the changes made sense, but other times changes were made that did not make sense, on issues that were very black and white. And it was clear, in those instances, that the changes had been made purely to appease the client.

7. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8.

9. Not all clients were that difficult, however. It's a tense environment when we go in to examine the facilities, because we're asking for records and scrutinizing things. But we also try to make sure they're comfortable with what we are doing, and most clients are not as combative. There were definitely some, more

vocal and aggressive clients, where this sort of thing would happen more frequently though.

10. In our more recent conversation, Mr. Callington's attorney asked me about how auditors were expected to store and access documents—and whether anything about UL's social compliance auditing protocol or process was markedly different from my experience with other firms, or stands out as something that could potentially be characterized as a trade secret.

11. With respect to the first topic, I explained, via email to Mr. Callington's, counsel that auditors routinely used cloud synching applications to access, store, and share documents, as needed. As for Dropbox, specifically, I personally did not use it—though I do recall that it was an option. [REDACTED]

[REDACTED] I do remember seeing something about Dropbox being available for employees to use. The software could be installed on our computers with management's approval, as needed.

12. When asked whether anything was unique, different, or special about UL's approach to social compliance audits, I explained to Mr. Callington's attorney that the process is essentially the same across the board, irrespective of whether performed by UL or any of its competitors (either way, we are basically just inspecting the premises, reviewing records, and speaking to employees, to identify compliance issues under applicable law and regulations). The Association of

Professional Social Compliance Auditors (APSCA) also reinforces that standardization across the industry.

13. Some clients [REDACTED]

[REDACTED] have additional things that they want us to assess or other modifications to a standard audit protocols, but that's not specific to UL.

14. The “Client Operating Procedures” are also not especially unique to UL; it’s just a set of client profiles [REDACTED] that all of the social compliance auditing firms use and which are in substantially the same format, across the industry.

15. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on June 20, 2025

